

1999

## Decision Record for the Designation of the Continental Divide National Scenic Trail

United States, Department of the Interior, Bureau of Land Management

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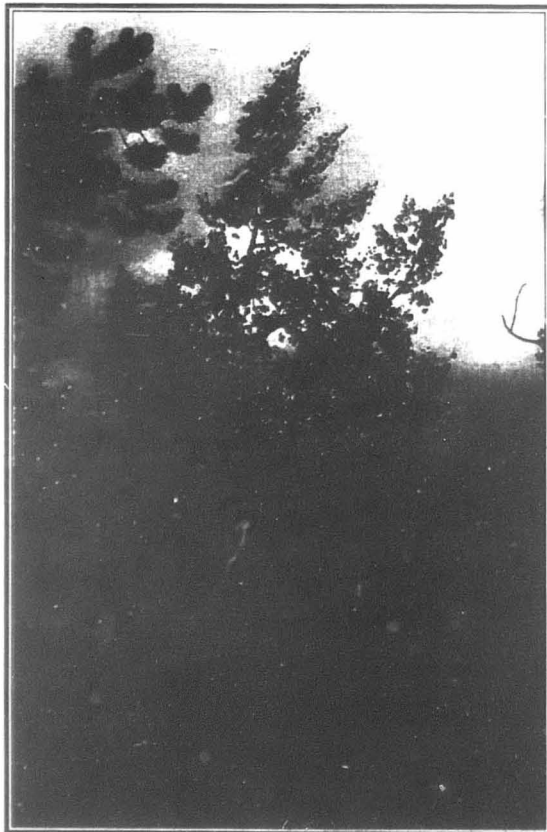
U.S. Department of the Interior  
Bureau of Land Management  
Wyoming State Office

Lander, Rawlins and Rock Springs Field Offices

April 1999

## DECISION RECORD

### for the Designation of the Continental Divide National Scenic Trail



#### MISSION STATEMENT

It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

BLM/WY/PL-99/015-1220

49-027558

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DECISION RECORD

for

DESIGNATION of the CONTINENTAL DIVIDE NATIONAL SCENIC TRAIL

As Analyzed In

ENVIRONMENTAL ASSESSMENT WY-050-EA9-008

Dated 1/25/99

LOCATION: LANDER, RAWLINS, and  
ROCK SPRINGS FIELD OFFICES

within

CARBON, FREMONT, and SWEETWATER COUNTIES, WYOMING

Prepared by the

BUREAU OF LAND MANAGEMENT

LANDER FIELD OFFICE

Lander, Wyoming

April 15, 1999

DECISION/RATIONALE: It is our decision to designate the following route segments as the Continental Divide National Scenic Trail (CDNST) on Bureau of Land Management (BLM)-administered public lands within the Rawlins, Lander, and Rock Springs Field Offices.

The designated route segments provide an opportunity for trail users to experience a variety of geographic and vegetative conditions that provide an array of recreation opportunities. The public will still have the option to explore the Great Divide Basin and surrounding areas (after obtaining any needed permission from private landowners for use of private lands) as they travel between the southern and northern ends of the trail described in this document. The public's sense of adventure and exploration will not be hampered by the designation of these segments as components of the CDNST.

The selected routes are described by segments, in a south to north alignment, and are shown on the attached maps.

Decisions common to all route segments - (Rawlins, Lander, Rock Springs Field Offices)

Decision - Designation of the CDNST will be limited to BLM-administered public land. A cooperative agreement will be pursued with the State of Wyoming to provide for designation and management of the trail on specific state lands.

Rationale - The 1985 CDNST Comprehensive Plan provides guidance to the BLM to designate the trail on BLM-administered public lands. It also provides for the development of cooperative agreements to include state lands as trail segments after appropriate consultation and negotiation. The inclusion of Wyoming State lands as components of the CDNST will help ensure a contiguous trail for users to follow.

Decision - Existing primitive two-track roads, along with BLM roads that provide legal public access through certain private lands, segments of cross country travel on BLM-administered public land, and an existing trail will be utilized as components of the CDNST. The existing primitive two-track roads and BLM road segments will continue to be open to motorized use, as provided for in the respective Resource Management Plan (RMP) decisions on Off Road Vehicle (ORV) designations. The use of cross country travel will be utilized to avoid private lands, improved roads, or to provide the linking of primitive two-track roads. Cross country travel routes will not be open to motorized use.

Rationale - The three RMP's, (Great Divide, Lander, and Green River) ORV designations provide for the use of motorized vehicles on existing primitive two-track roads and BLM roads that will be designated as components of the CDNST. The 1985 Comprehensive Plan provides for the continued use of motorized vehicles on segments of the trail where such use is provided by the ORV designations for the respective RMPs. The primitive two-track roads and portions of the improved BLM roads are described as Semi-Primitive Motorized (SPM) in the Recreation Opportunity Spectrum (ROS). This ROS setting has a predominantly natural appearance with trail users having a moderate probability of experiencing solitude. Additionally, the user can experience a closeness to nature and a sense of tranquility. Where the trail utilizes cross country travel, motorized vehicle use is not permitted by the ORV designations.

Decision - To provide continuity of travel, public access routes (non-designated trail segments) will be identified to provide a link with the designated CDNST segments. These public access routes may include existing rights-of-way for county roads and state highways. As necessary, cooperative agreements with the appropriate county and/or state officials will be pursued. The use of county roads and state highway rights-of-way would be subject to state and local laws and regulations that govern pedestrian and equestrian use.

Rationale - The intent of the CDNST legislation is to provide an extended trail

from the Mexican border to the Canadian border through the states of Montana, Idaho, Wyoming, Colorado, and New Mexico. The route selected for designation in this document defers designation of trail in portions of the "checkerboard" lands north and south of Rawlins (see Segments 1 and 3 Decisions). To provide legal access through the "checkerboard" lands, existing public rights-of-way are identified. These public access routes will allow for the continuity of travel for the public to link together designated trail segments (Segments 1 and 4).

**Decision** - Efforts to locate and designate the trail away from the public access routes (county roads, state highways) onto BLM-administered public lands, state lands, private lands, or a combination of these, will be pursued on a case-by-case basis. This could be accomplished by land exchanges, cooperative agreements between private landowners and the BLM, state, and/or local governments, or by other private entities. The long term goal is to complete designation of the trail that provides a route through the "checkerboard" off of these public access routes.

**Rationale** - This document defers designation of the trail in portions of the "checkerboard" lands north and south of Rawlins (see Segments 1 and 3 Decisions). To provide legal access through the "checkerboard" lands, existing public rights-of-way are identified. These public access routes will allow for the continuity of travel for the public to link together designated trail segments (Segments 1 and 4). To provide a safe and enjoyable recreational experience it is necessary to complete the designation process and locate the trail away from these public access routes. Any consolidation of public lands, while a benefit to the trail, would be for other benefits such as overall manageability of public lands.

**Decision** - Signing of the trail will be limited to the level necessary for users to navigate the trail. To assist in preventing limited incidental trespass on private lands, signs marking public land boundaries (Leaving and Entering BLM-administered public lands) will be placed along segments with adjacent private land, or along BLM road easements at the boundaries of private lands. Approach signs will be used to alert vehicle traffic of the possible use of county and state highway rights-of-way by trail users crossing or travelling along the rights-of-way.

**Rationale** - As contained in the 1985 Comprehensive Plan the signing of the trail should not detract from the opportunities to experience the wide variety of travel conditions. However, to assist the user in avoiding private lands and to navigate the wide-open spaces encountered along the route, limited signing of the trail is necessary. Providing signs to alert vehicle traffic to the potential of trail users within the highway right-of-way will benefit both motorists and trail users.

**Decision** - The U.S. Department of Agriculture's Animal and Plant Health Inspection Service/Wildlife Services will be notified of the trail's location on BLM-administered public lands. Mitigation or restriction of animal damage control activities will be requested to protect the safety of the recreating public.

**Rationale** - The predator control program on BLM-administered public land is administered by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service/Wildlife Services (APHIS/WS) through a Memorandum of Understanding (MOU) between the two agencies. The MOU calls for the BLM to assure that all predator control activities are consistent with the BLM's public land management objectives and management prescriptions, and do not create unacceptable conflict with other multiple use activities. The MOU also calls for the BLM to identify areas on BLM-administered public land where mitigation or restriction of predator control may be needed. These areas include recreation

sites, trails, and popular dispersed recreational use areas such as hiking and rock hounding areas. Appraising APHIS/WS of potential areas of concern from a public safety issue is required by the MOU. The MOU identifies APHIS/WS as having the responsibility of carrying out the predator control program with consideration for the safety of the recreating public.

**Decision** - A Title V, right-of-way will be issued to BLM in accordance with 43 CFR 2807- Reservation to Federal Agencies for the CDNST located on BLM-administered public lands.

**Rationale** - The reservation of the trail on BLM-administered public lands will ensure that the trail right-of-way will remain in the event that the public lands containing the trail are disposed of in the future through sale or exchange. No action would be taken to terminate or otherwise limit uses related to the right-of-way without consent of the BLM.

**Decision** - Site specific environmental assessments (EA) will be prepared prior to any improvements to existing water sources along the trail or the development of trailheads or information kiosks. Creating additional water sources specifically for the trail, such as drilling wells, is not proposed.

**Rationale** - Public comments during preparation of the 1985 Comprehensive Plan stated that the users should be able to cope with the natural conditions of the lands through which the trail passes. The creation of artificial water sources would detract from the harsh desert environment and change the current opportunities to experience the wide variety of travel conditions along the trail. Improvement of existing water sources for wildlife and livestock/wild horses should also consider the needs of the trail user to provide a water source suitable to all user groups. Site specific EAs will provide for the analysis of impacts, consideration of all affected resources, identify appropriate mitigation measures, and aid in the compliance with the National Environmental Policy Act.

**Decision** - The development of trailheads (see Segments 1 and 8), a trail information kiosk (see Segment 4) and a trail factsheet will emphasize the need to avoid private lands, without first obtaining permission to use the private lands, and to educate the trail users in the principles of Leave No Trace, an outdoor skills and ethics program.

**Rationale** - Educating the public in outdoor skills and ethics will help reduce the level of impacts to private lands, vegetation, soils, wildlife, livestock, and the impacts associated with the creation of new fire rings by trail users. The Leave No Trace program advocates minimum-impact travel and camping techniques that when followed will aid in reducing impacts caused by trail use.

**Segment 1** - Medicine Bow National Forest to Rawlins, Wyoming - 46 miles designated, plus 14 miles non-designated public access route (Rawlins Field Office)

**Decision/Route Description** - The selected route will leave the Medicine Bow/Routt National Forest at T15N, R88W, Section 1, and proceed on an existing primitive two-track road to Carbon County Road 401, south of Deep Gulch. At the county road intersection a trailhead parking area will be developed. Proceeding north on the county road for approximately one mile, the route follows a primitive two-track road. To avoid private lands, a short segment of cross country travel is utilized, before continuing on the primitive two-track road to intersect Carbon County Road 503 at the head of McCarty Canyon. From this point the road follows BLM Roads 3328, 3306, and 3301 to Bridger Pass. It continues on BLM Road 3301 to intersect Carbon County Road 401, approximately 14 miles south of Rawlins.



The route then continues as a non-designated trail segment-public access route that utilizes County Road 401 and Wyoming State Highway 71 rights-of-way through the "checkerboard" lands to access the City of Rawlins.

Along BLM Roads 3328, 3306, and 3301 the BLM-administered public land boundaries with state and private land ("checkerboard") will be posted with Leaving/Entering BLM-administered public lands signs.

**Rationale** - To avoid the improved county roads and potential trespass on private lands at Twin Grove, the Medicine Bow/Routt National Forest will realign the current designated CDNST on the forest to a route west of Divide Peak. This new route will lead the northbound trail user to the trail on BLM-administered public land in T15N, R88W, Section 1.

The trailhead parking area will enable trail users to obtain information on travel north through the "checkerboard" lands to Rawlins and south into the national forest. It will also provide parking for trail users.

Use of the county road for approximately one mile is necessary to cross Deep Gulch. Due to its extreme slopes, placement of a trail within Deep Gulch was not considered feasible.

The selected route provides for ease of route finding and has adequate water sources available. The use of BLM Roads 3306 and 3301 provide legal access through the "checkerboard" lands. This route also avoids graveled Carbon County Road 401 (except for one mile) which contains greater numbers of vehicles with increased speeds.

To avoid the encouragement of vehicle use on two shortcuts (T17N, R88W, Section 31 to T16N, R89W, Section 4, and T17N, R89W, Section 33) the designated trail will be signed on BLM Roads 3328 and 3306. The competent trail user with adequate map and compass skills should be able to discern the shortcuts and make an informed decision on whether to stay on the signed designated trail.

Signing of the public-private land boundaries along BLM Roads 3306 and 3301 within the "checkerboard" will provide for easy identification of BLM-administered public land. This will aid the trail user in avoiding trespass on private lands and identify the public lands that are available for use as rest spots or for primitive camping.

Identifying Carbon County Road 401 and Wyoming State Highway 71 as a non-designated trail-public access route will aid the through hiker/equestrian in legally accessing the City of Rawlins through the "checkerboard". This public access route will allow for the continuity of travel for the public to link together designated trail segments (Segments 1 and 4). To provide a safe and enjoyable recreational experience it will be necessary to complete the designation process and locate the trail away from these public access routes.

**Segment 2 - Rawlins Peak Trail System** - 3 miles designated of connecting side trail (Rawlins Field Office)

**Decision** - The Rawlins Peak Trail System (the actual routes to be located on the ground at a future date by the City of Rawlins and the BLM Rawlins Field Office) will be designated as a connecting side trail of the CDNST.

**Rationale** - The 1985 Comprehensive Plan provides guidance for the inclusion of points of interest along the trail that are accessed by side trails. The Rawlins Peak Trail System, when completed, will have several trailheads throughout the city and serve as a recreational trail system for the community. This side trail system will provide opportunities for exploring the geologic features (Rawlins

Uplift), scenic overlooks of the Great Divide Basin, and other views of south central Wyoming (Elk Mountain, Snowy Range, Sierra Madre Mountains, Ferris Mountains) that will enhance the recreational experience of the trail user.

**Segment 3 - Rawlins, via Highway 287, to the Mineral Exploration** - 15 miles of non-designated public access route (Rawlins Field Office)

**Decision** - Designation of the CDNST would be deferred along this segment of U.S. Highway 287 between Rawlins and north to the Mineral Exploration Road through the "checkerboard" lands. Future proposals to designate the trail along this segment (off of the highway) would be evaluated on a case-by-case basis. Designation of the trail could follow actions that include land exchanges to consolidate public lands or cooperative agreements between private landowners and the BLM, state, or local governments, and/or private entities for trail rights-of-way.

The public land boundaries would be signed and primitive campsite locations would be identified at the Nine Mile Hill pine stands.

Maintenance of the existing enclosure fence at Fish Pond Spring, north of the pines, is planned to prevent livestock access to the meadow system. A stile will be incorporated into the enclosure fence to allow access to the water source by hikers and riders. Water for horses and llamas would be available from the nearby reservoir. Signing of public land boundaries around Fish Pond Spring and Reservoir to help reduce the limited incidental trespass onto the private lands is also planned. A small sign will be placed along the highway right-of-way fence to identify this water source to trail users.

**Rationale** - Identifying Highway 287 as a non-designated trail-public access route will aid the through hiker/equestrian in legally accessing the designated trail segments (Segments 1 and 4) through the "checkerboard". To provide a safe and enjoyable recreational experience it will be necessary to complete the designation process by locating the trail away from this public access route. As currently exists, the highway rights-of-way would continue to provide the only legal public access north of Rawlins for trail users.

Signing of the public-private land boundaries within the "checkerboard" at the Nine Mile Hill pine stand and at Fish Pond Spring will provide trail users easy identification of BLM-administered public land. This will aid the user in avoiding trespass on private lands and identify the public lands that are available for use as rest spots or for primitive camping. Identifying the water source at Fish Pond Spring with a sign will aid the trail users in locating the only accessible water source between Rawlins and Bull Springs located in Segment 4.

Maintenance of the existing enclosure fence at Fish Pond Spring will prevent livestock use of the spring's meadow complex. This will enable the spring source system to be protected from trampling and provide a reliable water source for trail users.

**Segment 4 - Mineral Exploration Road to Crooks Gap Road** - 49 miles designated, plus 3 miles of non-designated public access route (Rawlins Field Office)

**Decision** - The route will utilize the Mineral Exploration Road (Mineral X Road) through the "checkerboard" lands to access blocked-up BLM-administered public land. This road is also known as BLM 3206 for its length in Carbon County. The road becomes Sweetwater County Road 63 at the county line. The designated route would be on BLM 3206. Approximately three miles of Sweetwater County Road 63 would be identified as a non-designated trail-public access route.

At the blocked-up BLM-administered public land along County Road 63, the route

would use cross-country travel to access an existing primitive two-track road to Bull Springs. From Bull Springs the route continues north on existing primitive two-track roads past A&M Reservoir and on to the Crooks Gap Road.

An information kiosk will be placed on the south side of the Mineral X Road, just off Highway 287 at an existing parking area, to provide trail route information for users traveling north into the Great Divide Basin or heading south toward Rawlins.

Future proposals to locate the trail off of the Mineral X Road would be evaluated on a case-by-case basis. Designation of the trail could follow actions that include land exchanges to consolidate public lands or cooperative agreements between private landowners and the BLM, state, or local governments, and/or private entities for trail rights-of-way.

The Ferris Mountains route alternative will not be selected as a designated connecting side trail.

**Rationale** - This alternative was selected over the Proposed Action (Highway 287 to Bull Springs) since the Mineral X Road is the first opportunity to "exit" the Highway 287 public access route on a legally accessible route toward Bull Springs. Though the Mineral X Road is paved as both BLM 3206 and County Road 63, it has much less vehicle traffic and associated speeds than does Highway 287. Also, the clay-like soils of Separation Flats often have standing water or wet soils beneath a dry crust following spring rains/snow or summertime thunderstorms. These conditions would often require the public access route hiker/equestrian to travel on the paved shoulder or crowned fill material of the rights-of-way. The Proposed Action "exit" providing a legally accessed route toward Bull Springs would have required an additional eight miles of travel along the public access route. This additional distance would have subjected the hiker/equestrian to a high degree of risk by placing them close to the vehicle traffic along Highway 287.

The kiosk information area along the Mineral X Road will enable trail users to obtain information on travel north through the Great Divide Basin and on travel conditions in the "checkerboard" lands toward Rawlins. This information will aid the trail users about the private land issues in the "checkerboard" and on the public access routes south toward the Medicine Bow/Routt National Forest.

Alternative 2 (Ferris Mountains) was not formally selected as a designated connecting side trail due to the concerns raised in the environmental assessment that included private property issues: 1) new private subdivision property owners concerned with trespass from trail users; and 2) potential of vandalism and liability from unauthorized use of private lands. Another concern with formally designating this side-trail route was the potential for placing additional stress on bighorn sheep in the Youngs Pass area. Promoting increased recreational use of the Ferris Mountains Wilderness Study Area without having a wilderness study area management plan in place was also raised as a concern. However, the recreating public still has the option to explore the Great Divide Basin and surrounding areas, including the Ferris Mountains, after obtaining any needed permission from private landowners for use of private lands. Competent trail users can legally access a route on BLM-administered public land and state land that includes the Ferris Mountains, Muddy Gap, Whiskey Peak, and Stratton Rim to rejoin the designated trail near the Crooks Gap Road. The public's sense of adventure and exploration will not be hampered by designation of the CDNST away from the Ferris Mountains.

Designating BLM Road 3206 as the CDNST will aid the through hiker/equestrian in legally accessing the blocked-up BLM-administered public land through the "checkerboard". Deferring designation on Sweetwater County Road 63 and identifying it as a public access route will also enable the trail user to travel through the "checkerboard" to access the blocked-up BLM-administered public

lands. To provide a safe and enjoyable recreational experience it will be necessary to complete the designation process by locating the trail away from this public access route. As currently exists, the Mineral X Road rights-of-way would continue to provide the safest legal public access to Bull Springs.

**Segment 5 - Crooks Gap Road to Bison Basin Road - 15 miles designated (Lander Field Office)**

**Decision** - This segment leaves the Crooks Gap Road following existing primitive two-track roads along the southern slopes of Crooks Mountain. This route passes by existing water sources at Brenton Springs, Magpie Creek, Crooks Mountain Reservoir, Haypress Reservoir, and the state section reservoir near the Bison Basin Road. No improvements to these water sources are planned specifically for trail users.

**Rationale** - This route provides scenic views south into the Great Divide Basin as well as providing some travel through limber pine woodlands. These woodlands offer the first opportunity for any relief from the sun after leaving the pines at Nine Mile Hill (Segment 3). There are ample water sources that will provide treatable water along this 15 mile segment.

**Segment 6 - Bison Basin Road to the Sweetwater River at the Phelps-Dodge Bridge - 30 miles designated (Lander Field Office)**

**Decision** - This segment follows existing primitive two-track roads across Alkali Creek, up Coyote Gulch, and ties into the Seminole Cutoff Historic Trail. It then follows the Three Forks-Atlantic City Road (BLM 2317) for three miles and then utilizes cross country travel to access the Phelps-Dodge Bridge crossing of the Sweetwater River.

Improvement to existing water sources at Weasel Spring and Upper Mormon Spring (the latter one on state land) would be in conjunction with future improvements for wildlife and livestock water. The improvement at Weasel Spring will be analyzed in a site specific environmental assessment. A cooperative agreement with the State of Wyoming will be pursued prior to improvements occurring at Upper Mormon Spring.

**Rationale** - This route uses a portion of the historic Seminole Cutoff. Past comments from hikers and equestrians that had used this segment was their overwhelming sense of historic significance. It was possible for them to relate to the emigrants that hiked and rode wagons and horses through the landscape that is essentially the same today that it was over 150 years ago.

The use of BLM 2317, an improved dirt road, for approximately 3 miles, provides legal public access through a mixture of public and private lands.

Improvements to existing water sources would benefit wildlife and livestock needs, as well as provide a treatable water source for trail users.

**Segment 7 - Sweetwater River, at Phelps-Dodge Bridge, to South Pass City - 16 miles designated (Lander Field Office)**

**Decision** - This segment crosses the Phelps-Dodge Bridge and a cattle guard on the northside of the river and immediately follows existing primitive two-track roads northeasterly towards Rock Creek. The two-track road follows along the rim above Rock Creek before angling northwest away from the rim. From a point between the rim and the Atlantic City Road (Fremont County Road 512), the route would continue northerly cross country to intersect the county road south of the Pickaxe Road. It would continue as a cross country segment westerly to intersect

an existing primitive two-track road that leads to the South Pass City Volksmarch Trail. At the point of meeting the Volksmarch Trail, signs would direct the trail user to the Wyoming State Historic Site at South Pass City. The entire Volksmarch Trail would be designated as the CDNST.

The decision of whether or not to designate the proposed Continental Peak/South Pass connecting side trail will be deferred pending the completion of the Jack Morrow Hills Coordinated Activity Plan by the Rock Springs Field Office.

**Rationale** - The crossing of the Sweetwater River at the Phelps-Dodge Bridge provides the only non-water crossing of the river between Highway 28 and Highway 287 at Sweetwater Station. Due to the serious safety concern of water-crossings of the river, during high water from spring/early summer snow melt by trail users, the bridge was considered appropriate for the designated route.

Following the rim above Rock Creek, the trail will provide access to primitive campsites along the creek. This could provide opportunities for relief from the dry harsh climate the trail user may experience across the Great Divide Basin. Water sources are readily available at Rock Creek.

The use of cross country travel to avoid the improved county road will provide a more pleasant travel experience for trail users.

By incorporating the Volksmarch trail into the route, a great sense of mining history is provided. CDNST users will pass by the historic Shields Mine and literally travel back in time as they enter the Wyoming State Historic Site of South Pass City. While the complete 4.5 miles of the Volksmarch Trail will be designated as the CDNST, the trail user (both north and south bound) can opt to shorten their time on this section of designated trail by passing directly by the Shields Mine and avoiding the remaining 3.5 miles of the Volksmarch Trail.

Through hikers/equestrians can utilize the services of the seasonal post office at the South Pass City State Historic Site as a mail-drop opportunity.

Use of primitive campsites along the Volksmarch Trail will provide the CDNST user the opportunity to rest, relax, and allow for a tour of the historic townsites before traveling on. Water sources are readily available at Willow Creek.

The deferral on designation of the Continental Peak/South Pass connecting side trail will provide the opportunity to analyze the side trail along with other related resource issues within the Jack Morrow Hills planning area and the associated environmental impact statement (EIS). Other related resource issues to be addressed in the EIS include crucial elk habitat, South Pass historic landscape, mineral exploration and development, Native American religious sites, and general recreational use.

**Segment 8 - South Pass City to Highway 28 - 3 miles deferred designation (Lander and Rock Springs Field Offices)**

**Decision** - A trailhead information and parking area will be developed at South Pass City. The location of the trailhead will be coordinated with Wyoming State Historic Site personnel.

**Designation** of the route from South Pass City to Highway 28 will be deferred pending completion of the reevaluation of the designated route and alternatives, north of the highway, by the BLM Rock Springs Field Office and the Shoshone National Forest, Washakie Ranger District.

**Rationale** - The trailhead location at South Pass City will provide a starting point for trail users heading southerly along the designated main route or north

into the Wind River Mountains. The designated parking area within sight of the town will likely aid in protecting vehicles from potential vandalism.

The deferral on designation of the route from South Pass City to Highway 28 will provide the opportunity to re-analyze the designated Little Pine Creek Trail and the alternative that uses the Rock Shop Trailhead and associated routes. Issues that have surfaced following designation of the Little Pine Creek Trail as the CDNST, in March of 1998, include potential private property trespass/vandalism, riparian management, and use of the existing trailhead at The Rock Shop.

# FINDING OF NO SIGNIFICANT IMPACTS:

Based on the analysis of potential environmental impacts contained in the Environmental Assessment for the Designation of the Continental Divide National Scenic Trail, WY-050-EA9-008, dated 1/25/99, we have determined that impacts are not expected to be significant and an environmental impact statement is not required. The decisions contained in this document are in compliance with the applicable land use plans covering the BLM-administered public lands to be designated as the Continental Divide National Scenic Trail (Great Divide, Lander, and Green River Resource Management Plans).

  
Rawlins Field Manager

4/15/99  
Date

  
Lander Field Manager

4/14/99  
Date

  
Rock Springs Field Manager (acting)

4/15/99  
Date

These decisions may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Lander Field Office, P.O. Box 589, Lander, WY 82520 within 30 days from receipt of these decisions. The appellant has the burden of showing that the decision(s) appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision(s) during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for stay must also be submitted to each party named in this decision(s) and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with the appropriate field office. If you request a stay, you have burden of proof to demonstrate that a stay should be granted.

## Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision(s) pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

## INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

### DO NOT APPEAL UNLESS

1. This decision is adverse to you, AND
2. You believe it is incorrect.

### IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL . . . . . Within 30 days file a *Notice of Appeal* in the office which issued this decision (see 43 CFR Secs. 4.411 and 4.413). You may state your reasons for appealing, if you desire.

2. WHERE TO FILE  
NOTICE OF APPEAL . . . . .  
Bureau of Land Management  
Lander Field Office  
P.O. Box 589  
Lander, Wyoming 82520

SOLICITOR  
ALSO COPY TO . . . . .  
Regional Solicitor  
Rocky Mountain Region  
U.S. Department of Interior  
P.O. Box 25007, Denver Federal Center  
Denver, Colorado 80225

3. STATEMENT OF REASONS . . . . . Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203 (see 43 CFR Sec. 4.412 and 4.413). If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary.

SOLICITOR  
ALSO COPY TO . . . . .  
Regional Solicitor  
Rocky Mountain Region  
U.S. Department of Interior  
P.O. Box 25007, Denver Federal Center  
Denver, Colorado 80225

4. ADVERSE PARTIES . . . . . Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (see 43 CFR Sec. 4.413). Service will be made upon the Associate Solicitor, Division of Energy and Resources, Washington, D.C. 20240, instead of the Field or Regional Solicitor when appeals are taken from decisions of the Director (WO-100).

5. PROOF OF SERVICE . . . . . Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (see 43 CFR Sec. 4.401(c)(2)).

Unless these procedures are followed your appeal will be subject to dismissal (see 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (see 43 CFR Sec. 4.401(a)).

SUBPART 1821.2--OFFICE HOURS; TIME AND PLACE FOR FILING

Sec. 1821.2-1 *Office hours of State Offices.* (a) State Offices and the Washington Office of the Bureau of Land Management are open to the public for the filing of documents and inspection of records during the hours specified in this paragraph on Monday through Friday of each week, with the exception of those days where the office may be closed because of a national holiday or Presidential or other administrative order. The hours during which the State Offices and the Washington Office are open to the public for the filing of documents and inspection of records are from 10 a.m. to 4 p.m., standard time or daylight saving time, whichever is in effect at the city in which each office is located.









\* \* \* \* \*

Sec. 1821.2-2(d) Any document required or permitted to be filed under the regulations of this chapter, which is received in the State Office or the Washington Office, either in the mail or by personal delivery when the office is not open to the public shall be deemed to be filed as of the day and hour the office next opens to the public.

(a) Any document required by law, regulation, or decision to be filed within a stated period, the last day of which falls on a day the State Office or the Washington Office is officially closed, shall be deemed to be timely filed if it is received in the appropriate office on the next day the office is open to the public.

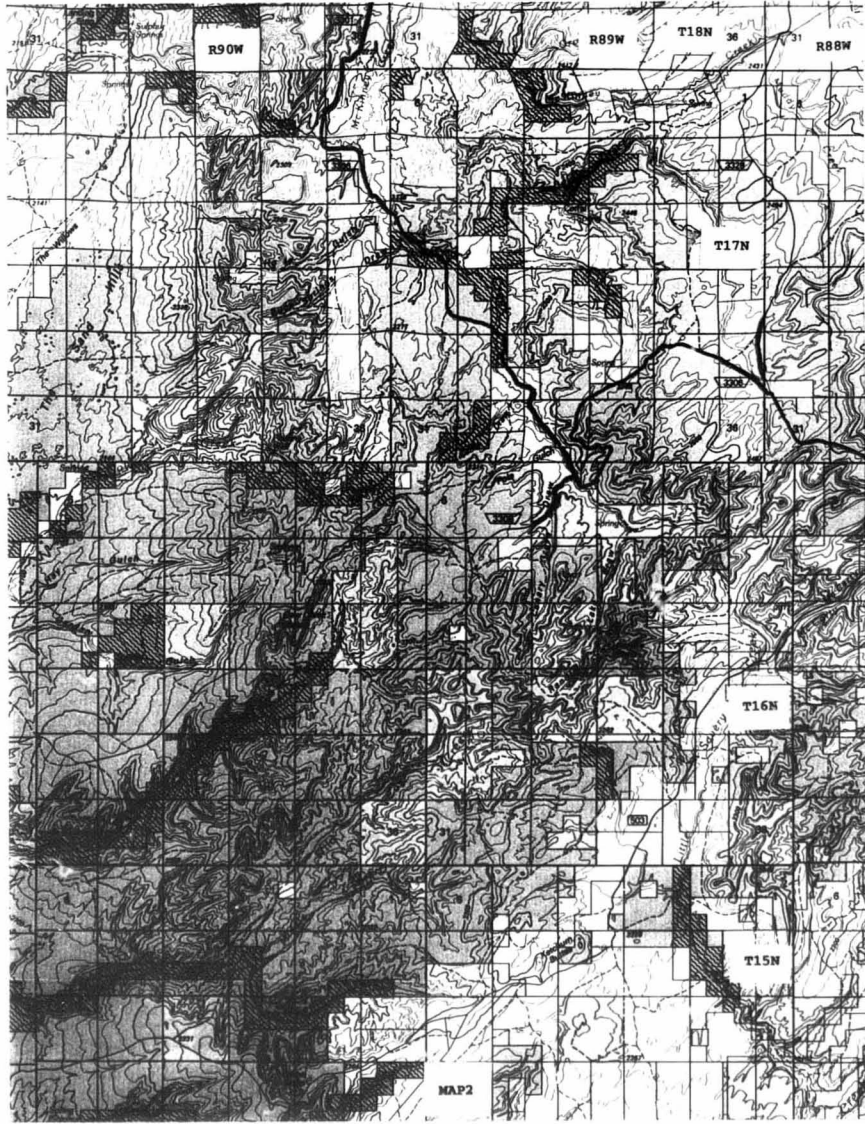
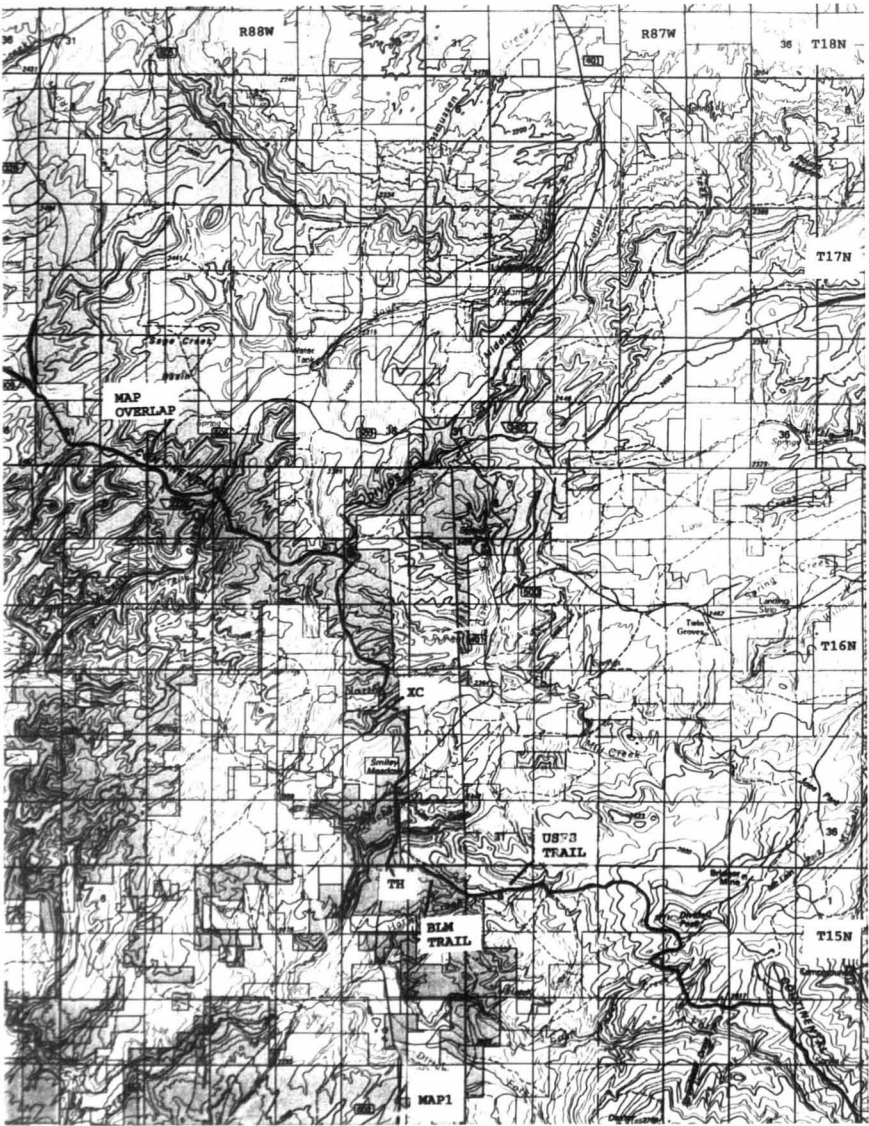
MAPS FOR THE  
CONTINENTAL DIVIDE NATIONAL SCENIC TRAIL  
DECISION RECORD

MAP LEGEND

	DESIGNATED CONTINENTAL DIVIDE NATIONAL SCENIC TRAIL
	TRAIL - CROSS COUNTRY TRAVEL
	PUBLIC ACCESS ROUTE (non-designated trail)
	TRAILHEAD
	BLM-ADMINISTERED PUBLIC LAND
	USFS NATIONAL FOREST LAND
	STATE LAND
	PRIVATE LAND

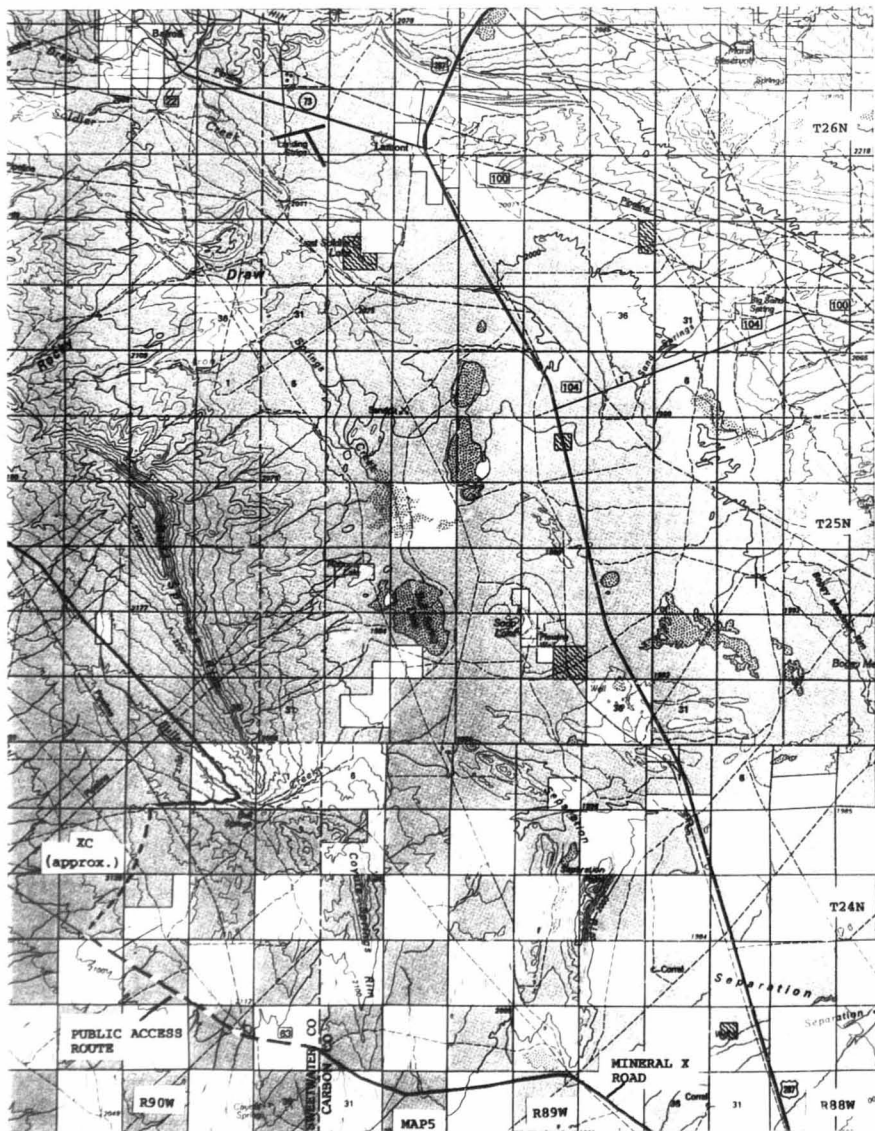
NOTE: North is at the top of the page. The map number is at the bottom of the page.



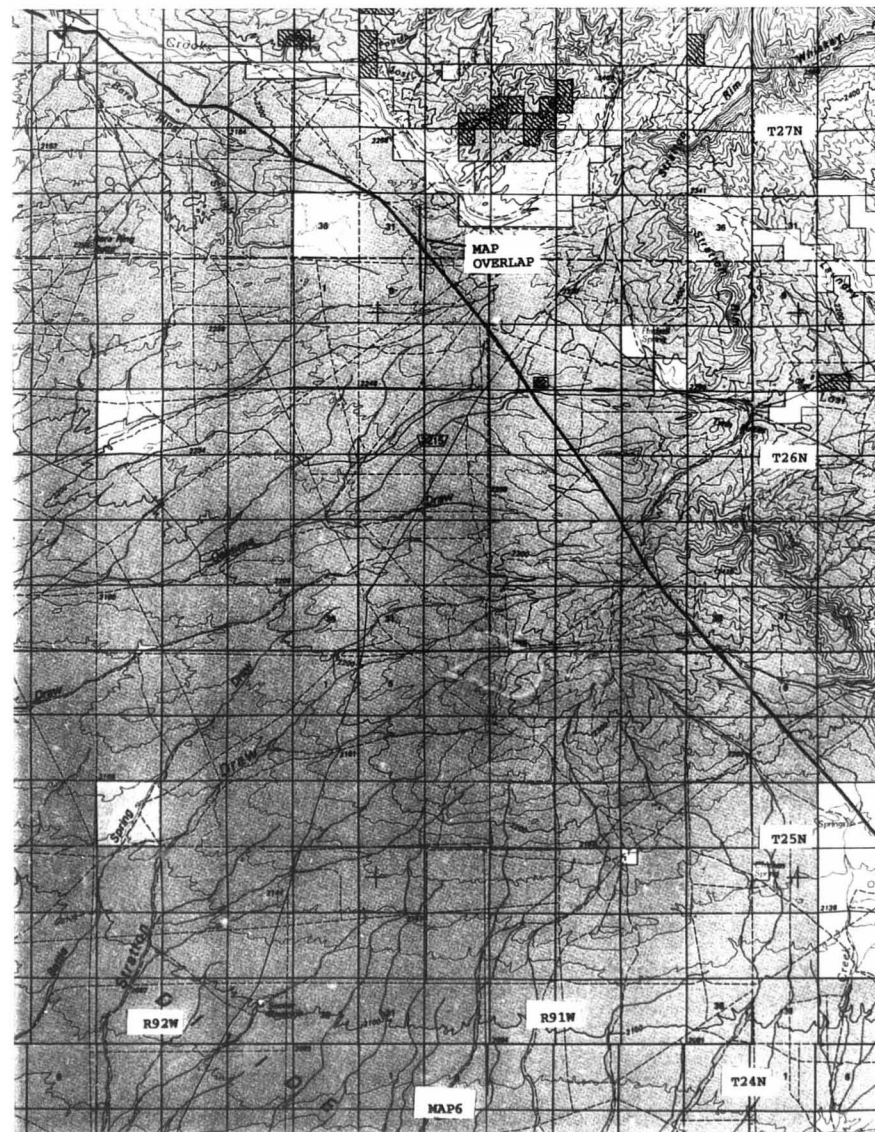








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